

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 18

Special Meeting

May 17, 2004

Town Board Minutes

May 17, 2004

Meeting No. 18

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 17th day of May 2004, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER*
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER*
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN**

ABSENT: MARK MONTOUR, COUNCIL MEMBER
REBECCA ANDERSON, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

*Planning Board Member Myszk and Council Member Amatura recused themselves from considering the SEQR for the Anastasi rezoning matter because they each have had a business relationship with the petitioner.

** Planning Board Chairman Keysa departed from the meeting at 6:55 P.M. after the first SEQR.

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for three (3) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
ANASTASI TRUCKING & PAVING COMPANY
REZONE**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Anastasi Trucking & Paving Company rezone matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED BY
PLANNING BOARD MEMBER KORZENIEWSKI
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:**

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
ANASTASI TRUCKING & PAVING COMPANY
REZONE**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an Unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximate 20.09± acres.

The location of the premises being reviewed is 351 Pavement Road, County of Erie, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.
 - It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required; there will be a small to moderate impact during construction.
 - It is also noted that there is also a potential for storage of greater than 1,100 gallons of petroleum or chemical products.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will have a small to moderate affect on air quality.
 - It is noted that the proposed action will allow an increase in the amount of land committed to industrial from mining use.
8. The proposed action will have a small to moderate affect threatened or endangered species.
 - It is noted that there will be a small to moderate impact due to application of pesticide or herbicide more that twice a year.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will have a small to moderate affect on aesthetic resources.
 - It is noted that the proposed land use is different from current surrounding land use.
 - It is also noted that the proposed land use which will be visible to other users of the aesthetic resources will significantly reduce or eliminate their enjoyment of the aesthetic qualities of that resource.

12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will have a small to moderate affect on the quantity or quality of existing or future open spaces or recreational opportunities.
 - It is noted that the proposed project is in close proximity to a proposed hiking and biking trail, namely Lancaster Heritage Trail.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will have a small to moderate affect on existing transportation systems.
 - It is noted that:
 - a.) There will be a small to moderate alteration of present patterns of movement of people and/or goods.
 - b.) The proposed action will create small to moderate traffic problems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will be a small to moderate impact on objectionable odors, noise, or vibration as a result of this proposed action.
 - It is noted that the proposed action will produce operating noise exceeding the local ambient noise levels for noise outside of structures during concrete recycling.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate affect on the character of the existing community.
 - It is noted that:
 - a.) The proposed action will cause a small to moderate change in the density of land use.
 - b.) Development will create a demand for additional police and fire services.
 - c.) The proposed action will set a precedent for future projects.

20. There is likely to be public controversy related to potential adverse environmental impacts due to traffic concerns, potential increase in noise levels, and its proximity to the proposed hiking and biking trail, namely Lancaster Heritage Trail.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

May 17, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a voice vote which resulted as follows:

COUNCIL MEMBER AMATURA	WAS RECUSED
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED NO
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS RECUSED
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon adopted.

May 17, 2004

**IN THE MATTER OF THE SEQR REVIEW OF THE
BUFFALO SUBURBAN SEVENTH DAY
ADVENTIST CHURCH SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Buffalo Seventh Day Adventist Church site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER MYZKA
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:**

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
BUFFALO SUBURBAN SEVENTH DAY
ADVENTIST CHURCH SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 6.58 acres.

The location of the premises being reviewed is situate at 5580 Genesee Street, County of Erie, Lancaster, new York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:

C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No significant adverse effects noted

C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No significant adverse effects noted

C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No significant adverse effects noted

C.7 Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

May 17, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a voice vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

May 17, 2004

**IN THE MATTER OF THE SEQR REVIEW OF THE
ELDERWOOD HEALTH CARE
AT LINWOOD SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Elderwood Health Care at Linwood site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
ELDERWOOD HEALTH CARE
AT LINWOOD SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 4.993 acres.

The location of the premises being reviewed is situate at 1818 Como Park Blvd., County of Erie, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type I threshold in 6 NYCRR, Part 617.4.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:

C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No significant adverse effects noted

C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No significant adverse effects noted

C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No significant adverse effects noted

C.7 Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

May 17, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a voice vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

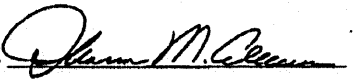
May 17, 2004

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY
COUNCIL MEMBER AMATURA FOR ADJOURNMENT OF THE MEETING which resulted
as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The meeting was adjourned at 7:04 P.M.

Signed 
Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 19

Regular Meeting

May 17, 2004

Town Board Minutes

May 17, 2004

Meeting No. 19

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 17th day of May 2004 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Requested an explanation regarding the Special Use Permit application of Monti Concrete Construction, Inc. at 501 Erie Street.
- Questions regarding additional Thruway exit/entrance ramps.

Howell, Gary, 48 Park Blvd., spoke to the Town Board on the following matters:

- Comments regarding Erie County's study of financial aspects of Police merger.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M. the Town Board held a Public Hearing to hear all interested persons upon amendments to the Vehicle & Traffic Ordinance regarding stop intersections in Pinetree Subdivision.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
None		

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUT	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:31 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

May 17, 2004

PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:

At 8:36 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed amendment to the Zoning Ordinance and Zoning Map for Anastasi Trucking and Paving Company.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Peter Sorgi, Attorney for the petitioner		Proponent
Jack Patterson, General Manager, Anastasi Trucking & Paving		Proponent
Gary Anastasi, President, Anastasi Trucking & Paving		Proponent
Thomas Ameno	90 Westwood Road	Opponent
Fred Pascolini	154 Pavement Road	Opponent
Douglas Lahnen	54 Westwood Road	Opponent
Rosalind Keicher	120 Westwood Road	Opponent
Tony Distefano, General Manager, Lafarge Corp., the property owner		Proponent
Kenneth Heist	44 Westwood Road	Opponent
Kenneth Horbett	293 Pavement Road	Opponent
Bob Costrino	101 Pavement Road	Opponent
Lori Phillips	121 Westwood Road	Opponent
Richard Roncone	110 Pavement Road	Opponent
Mark Chaves	119 Nichter Road	Opponent
Chester Zwolak	63 Westwood Road	Opponent
John Burbi	16 Old Post Road	Proponent
John Mediak	80 Westwood Road	Opponent
Tom Ferry	125 Nichter Road	Opponent
Wayne Wheatley	37 Westwood Road	Opponent
Donald Symer	610 Columbia Avenue	Questions
Renea Reese	237 Pavement Road	Opponent
Gary Howell	48 Park Blvd	Questions
Jim Brett	659 Harris Hill Road	Comments
Chris Abczynski	57 Westwood Road	Opponent
Mike Campagna	53 Westwood Road	Opponent

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER MONTOUR, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 9:58 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.
May 17, 2004

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Planning Board and the Town Board held May 3, 2004 and the Regular Meeting of the Town Board held May 3, 2004 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, Lynn Harrington, Program Coordinator for the Youth Bureau of the Town of Lancaster, has requested a leave of absence, without pay, for up to one year, commencing May 24, 2004, and

WHEREAS, the Executive Director of the Youth Bureau has recommended the granting of this unpaid leave of absence.

NOW, THEREFORE, BE IT

RESOLVED, that Lynn Harrington, Program Coordinator in the Youth Bureau of the Town of Lancaster be and is hereby granted a leave of absence, without pay, for up to one year, commencing May 24, 2004.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

FILE:rpers/rpers.lve (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Highway Superintendent, by letter dated May 5, 2004, has requested the appointment of a seasonal employee in the Highway Department of the Town of Lancaster for the summer season of 2004.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of seasonal employee for the summer season of 2004 in the Highway Department of the Town of Lancaster, with no benefits, effective May 10, 2004, at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Gregory Miller 40 Heritage Drive Lancaster, New York 14086	Laborer, seasonal	\$8.75 per hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: Rpers.seasonal.wpd (P11)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, towns, villages and cities throughout the State of New York are dependent upon the fine revenues collected in their courts, to cover a large share of Justice Court and Police enforcement budgets, and

WHEREAS, Legislation proposed in NYS Senate Bill 6056 and Assembly Bill 9556, if passed would provide that if certain vehicular and traffic violations are reduced to a lower penalty, portions of the fines that are now retained by the municipalities in these cases would be given to the State of New York, and

WHEREAS, if these Senate and Assembly Bills should pass, it is most likely fewer plea bargains would be reached which would lead to more trials which would clog the Courts and mean more expenses, not only to the local municipalities but to the State of New York, and

WHEREAS, in many instances overtime would have to be paid to enforcement personnel to testify as more cases go to trial, and

WHEREAS, the NYS Association of Towns testified and opposed these bills at a hearing on the Executive Budget on Monday, January 26, 2004, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to oppose this proposed legislation;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster opposes S.6056/A.9556, and

BE IT FURTHER

RESOLVED, that a copy of this resolution be sent to each Assemblyman and Senator in Western New York.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: rvchiculartrafficviolationspenalty\$04

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town of Lancaster has previously entered into an Agreement to furnish Dog Control Services to the Village of Depew, which Agreement will expire according to its terms, and

WHEREAS, the Town Board of the Town of Lancaster desires to renew said Agreement for a 5-year term commencing June 1, 2004 through May 31, 2009;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute an Agreement with the Village of Depew setting forth the terms and conditions for the performance of certain services for the Village of Depew involving dog control.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, Monti Concrete Construction, Inc., 11 Farmview Court, Lancaster, has submitted an application for a Special Use Permit for warehousing and storage services for High Density Storage System, 501 Erie Street, Lancaster, in accordance with provisions of Chapter 50-Zoning, Section 20 (B) (1) (e) of the Code of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to §50-20 (B) (1) (e), of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for warehousing and storage services for High Density Storage System on premises locally known as 501 Erie Street, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of June, 2004 at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT
HIGH DENSITY STORAGE SYSTEM
501 ERIE STREET**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in §50-20 (B)(1) (e) Chapter 50-Zoning , of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 17th day of May, 2004, the Town Board will hold a Public Hearing on the 7th day of June, 2004, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Monti Concrete Construction, Inc. for a Special Use Permit for warehousing and storage services for High Density Storage System on premises locally known as 501 Erie Street in the Town of Lancaster, County of Erie and State of New York .

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: Johanna M. Coleman
Town Clerk**

May 17, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of Two (2) Ford Pick-up Trucks (F250 and F350) and Two (2) Ford Small Dump Trucks (F450 and F550), cab and chassis only, for the use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

2. That Bids be received by the Town Clerk on June 3, 2004 at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing Two (2) Ford Pick-up Trucks (F250 and F350) and Two (2) Ford Small Dump Trucks (F450 and F550), cab and chassis only, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 3rd day of June, 2004, for the purpose of providing to the Town of Lancaster Two (2) Ford Pick-up Trucks (F250 and F350) and Two (2) Ford Small Dump Trucks (F450 and F550), cab and chassis only, for the use of the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five percentum (5%) of the Total Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

May 17, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated May 10, 2004, has requested the addition of an additional member to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Twin District Volunteer Fire Company the following individual:

ADDITION:

Michael Carducci
21 Woodgate Drive
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Buffalo Suburban Seventh Day Adventist Church, 5580 Genesee Street, Lancaster, New York, has submitted a Site Plan prepared by Mussachio Architects, dated April 6, 2004 and received April 7, 2004 for the construction of a new 19,400 square foot gymnasium and classroom addition with a metal roof to be located on 5580 Genesee Street, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting May 5, 2004 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held May 17, 2004 and a negative declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Buffalo Suburban Seventh Day Adventist Church, prepared by Mussachio Architects dated April 6, 2004 and received April 7, 2004 for the construction of a new 19,400 square foot gymnasium and classroom addition with a metal roof to be located at 5580 Genesee Street in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, Elderwood Senior Care, 7 Limestone Drive, Williamsville, New York, has submitted a Site Plan prepared by Fontanese Folts Aubrecht Ernst Bammel Architects dated April 6, 2004 and received April 7, 2004 for the proposed construction of two additions totaling 3,300 square feet to an existing health care facility to be located at 1818 Como Park Boulevard in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting April 21, 2004 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held May 17, 2004 and a negative declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Elderwood Senior Care and prepared by Fontanese Folts Aubrecht Ernst Bammel Architects, dated April 6, 2004 and received April 7, 2004 for the proposed construction of two additions totaling 3,300 square feet to an existing health care facility to be located at 1818 Como Park Boulevard in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: rspelderwoodhealthcare504

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, a Public Hearing was held on the 17th day of May, 2004 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted:

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on May 17th, 2004;
3. That a Certified Copy thereof be published in the Lancaster Bee on May 20, 2004;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: rvtwrdchpt46stopsigns404a.

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION
STOPS; YIELD INTERSECTIONS**

**46-8.1 Stop Intersections designated, is hereby amended by adding
thereto the following:**

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
<u>PINETREE SUBDIVISION</u>		
Hemlock Lane	Cardinal Court	N.E. Corner
Hemlock Lane	Cardinal Court	S.W. Corner

May 17, 2004

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 17th day of May, 2004, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 17th day of May, 2004.

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Summerfield Farms Subdivision, Phase III within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated May 13, 2004 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Summerfield Farms Subdivision, Phase III be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 574 - Waterline

P.I.P. No. 575 - Pavement & Curb

P.I.P. No. 576 - Storm Sewer

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: RPIP (P13)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the General Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated May 11, 2004, has recommended the appointment of Charlene Ciccarella, 815 Erie Street, Lancaster, New York 14086 to the part time position of Recreation Attendant in the Town of Lancaster Senior Center as a hot meals operator.

NOW, THEREFORE, BE IT

RESOLVED, that Charlene Ciccarella, 815 Erie Street, Lancaster, New York 14086 be and is hereby appointed to the permanent part time position of Recreation Attendant in the Lancaster Senior Center as a hot meals operator, effective May 18, 2004, not to exceed 19.5 hours, at \$9.50 per hour, and that this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: rpers/rpers (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has requested the creation of an additional position of Detective, Temporary in the Police Department of the Town of Lancaster, and

WHEREAS, the Supervisor has also requested the creation of an additional position of Public Safety Dispatcher, Part-Time.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and sign Form PO-17 (New Positions Duties Statement) to create one additional position of Detective, Temporary and an additional position of Public Safety Dispatcher, Part-Time in the Police Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

file: rpers\supers.cre (P15)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster has requested the appointment of Police Officer Gerald Oleksy to the position of Detective, Temporary, in the Police Department.

NOW, THEREFORE, BE IT

RESOLVED, that Gerald Oleksy is hereby appointed to the position of Detective, Temporary, in the Police Department of the Town of Lancaster effective May 24, 2004, on step, at the following salary:

5/24/04 to 8/23/04	\$58,130
8/24/04 to 11/23/04	\$59,005
11/24/04 full	\$59,880

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing action.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: RPERS\rapers (P15)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 8679 to Claim No. 8942 Inclusive

Total amount hereby authorized to be paid: \$192,490.03

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

11506	Kulback's Construction	3985 Walden Ave	Er. Comm. Bldg	
11624	Kulback's Construction	63 Cemetery Rd	Er. Comm. Add.	
11691	Forbes Homes Inc	23 Regency Ct	Er. Dwlg.-Sin.	
11692	Forbes Homes Inc	10 Valley Overlook Dr	Er. Dwlg.-Sin.	
11693	Lojacono, Ronald	4847 William St	Er. Fence	
11694	Iroquois Fence Inc	19 Pinetree Dr	Er. Fence	
11695	WNY Restoration Group	8 Petersbrook Cir	Er. Res. Alt.	
11696	Steinman, Darryl	1375 Ransom Rd	Er. Pool-Abv Grnd	
11697	Draves, Brian	11 Ann Marie Dr	Er. Shed	
11698	Jurek, Valerie	6148 Broadway	Er. Sign-Temp	
11699	Majestic Pools Inc	7 Running Brook Dr	Er. Pool-In Grnd	
11700	Marzec Construction Inc	11 Bentley Cir	Er. Deck	
11701	Braymiller Builders	43 Sussex Ln	Er. Deck	
11702	DiGiamcomo, Michael	36 Sussex Ln	Er. Shed	
11703	City Fence Inc	5726 Broadway	Er. Fence	
11704	Jed Contracting	6615 Transit Rd	Er. Comm. Alt.	
11705	Premier Fence	41 Southwest Pky	Er. Fence	(V/L)
11706	Stockmohr Co Inc	307 Peppermint Rd	Er. Deck	
11707	Bengert Enterprises	89 Simme Rd	Er. Pool-Abv Grnd	
11708	Thomson, Michael	69 Fox Hunt Rd	Er. Shed	
11709	Warrington, John	13 Matthews Dr	Er. Shed	
11710	Sun Enterprises Inc	56 Running Brook Dr	Er. Shed	
11711	Pickett Fence & Ext.	69 Newberry Ln	Er. Fence	
11712	Irish Construction	31 Creekwood Dr	Er. Fence	
11713	Powell, Nathan	5636 William St	Er. Deck	
11714	D. Allen & Sons	2 Matthews Dr	Er. Deck	
11715	Glamour Pools	18 Quail Run Ln	Er. Pool-In Grnd	
11716	Glamour Pools	18 Quail Run Ln	Er. Fence	
11717	Glamour Pools	170 Enchanted Forest S	Er. Pool-In Grnd	
11718	Glamour Pools	170 Enchanted Forest S	Er. Fence	
11719	Slivan Pool & Const.	9 Apple Blossom Blvd	Er. Pool-Abv Grnd	

11720	Ulrich Sign Co	4875 Transit Rd	Er. Sign-Wall	
11721	Baker, Brian	32 Katelyn Ln	Er. Res. Add.	
11722	Jentch, Derrick	1114 Ransom Rd	Er. Pool-Abv Grnd	
11723	H-D Unlimited Inc	52 Southpoint Dr	Er. Pool-Abv Grnd	
11724	Duro-Shed Inc	15 Michael's Walk	Er. Shed	
11725	Glamour Pools	312 Schwartz Rd	Er. Fence	
11726	Sun Enterprises Inc	215 Nathan's Trl	Er. Shed	
11727	Duro-Shed Inc	10 Apple Blossom Blvd	Er. Shed	
11728	Glamour Pools	312 Schwartz Rd	Er. Pool-In Grnd	
11729	Premier Fence Co	12 Cobblestone Ct	Er. Fence	
11730	Concord Amish Village	2 Home Rd	Er. Shed	
11731	Iroquois Fence Inc	9 Northbrook Ct	Er. Fence	
11732	Sun Enterprises Inc	75 Sawyer Ave	Er. Shed	(V/L)
11733	Majestic Pools Inc	62 Impala Pky	Er. Pool-In Grnd	
11734	Majestic Pools Inc	308 Pleasant View Dr	Er. Pool-In Grnd	
11735	Majestic Pools Inc	308 Pleasant View Dr	Er. Fence	
11736	Majestic Pools Inc	18 Hill Valley Dr	Er. Pool-In Grnd	
11737	Majestic Pools Inc	18 Hill Valley Dr	Er. Fence	
11738	Foltarz, Paul	545 Lake Ave	Er. Shed	
11739	Duro-Shed Inc	118 Michael's Walk	Er. Shed	
11740	Paladino, Russell	23 Creekwood Dr	Er. Deck	
11741	Deck Solutions	29 Church St	Er. Deck	(V/L)
11742	Chambers, Stephen	110 Westwood Rd	Er. Shed	
11743	Canale, John	8 Birchwood Comm	Er. Fence	
11744	J B Sebastiano Const.	1165 Penora St	Er. Garage	
11745	Forbes Homes Inc	145 Nathan's Trl	Er. Dwlg.-Sin.	
11746	Marrano/Marc Equity	39 Ashwood Ct	Er. Fence	
11747	Marrano/Marc Equity	41 Ashwood Ct	Er. Fence	
11748	Capital Fence Co Inc	20 Pinetree Dr	Er. Fence	
11749	Pluff, T.	26 Sturm St	Er. Fence	(V/L)
11750	West, Lynne	1202 Ransom Rd	Dem. Barn	
11751	Ferry, Walter	126 Nichter Rd	Er. Dwlg.-Sin.	
11752	Majestic Pools Inc	1 Pondview Ct	Er. Pool-In Grnd	
11753	St. Adalbert's Church	6200 Broadway	Er. Masoleum	
11754	McGovern, Tim	1 Nottingham Ln	Er. Shed	
11755	Safe, Paul	3490 Bowen Rd	Er. Deck	
11756	J & M Fence	6 Stream View Ln	Er. Fence	
11757	Northeast Transit/William	4949 Transit Rd	Er. Sign-Temp	
11758	Kaplan, Christopher	11 Katelyn Ln	Er. Deck	
11759	Konkle, Michael	114 Newberry Ln	Er. Pool-Abv Grnd	
11760	Penner, Paul	151 Fourth Ave	Er. Fence	(V/L)
11761	Hammann, Allen	1337 Ransom Rd	Er. Pool-Abv Grnd	
11762	Barnes, Harrison	58 Southpoint Dr	Er. Shed	
11763	H-D Unlimited Inc	5 Ann Marie Dr	Er. Pool-Abv Grnd	
11764	Duro-Shed Inc	37 Fox Hunt Rd	Er. Shed	

11765	31 Central Avenue Inc	32 Central Ave	Rem. Comm. Bldg. (V/L)
11766	Josker, Mark	2 Queen's Way	Er. Deck
11767	Orzech, James	23 Village View	Er. Deck
11769	Classic Ballet of WNY	338 Harris Hill Rd	Er. Sign
11770	Iroquois Fence Inc	285 Enchanted Forest N	Er. Fence
11771	Kacalski, Christopher	285 Enchanted Forest N	Er. Shed
11772	Classic Fence	42 Gordon Ave	Er. Fence (V/L)
11773	Iroquois Fence Inc	1 Park Walk	Er. Fence
11774	Bigham, Justin	48 Trentwood Trl N	Er. Fence

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: Rbldg2

SUSPENDED RESOLUTION:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

Council Member Ruffino moved to suspend the necessary rules for immediate consideration of the following resolution, seconded by Council Member Montour, which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing six (6) new 2004 Police Vehicles to the Police Department of the Town of Lancaster in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were opened on May 17, 2004, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the beforementioned vehicles in accordance with said specifications from the low bidder thereon, DeLacy Ford, Inc., 3061 Transit Road, Elma, New York 14059;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the bid of DeLacy Ford, Inc. is accepted and that an order for these vehicles is hereby authorized to be placed by the Chief of Police as follows:

1. The purchase of six (6) 2004 Police Vehicles at a unit price of \$26,982.00 per vehicle = \$161,892.00

2. That the following vehicles be traded to DeLacy Ford, Inc., as per the trade-in allowances listed on the Bid Form:

A. One (1) 1997 Ford Crown Victoria Vin #2FACP71W5VX122145	\$1,600.00
B. One (1) 2002 Ford Crown Victoria Vin #2FAFP71W22X156522	\$6,000.00
C. One (1) 2001 Ford Crown Victoria Vin #2FAFP71W11X177120	\$4,600.00
D. One (1) 2002 Ford Crown Victoria Vin #2FAFP71W42X156523	\$6,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2004

File: rpolicebids504a

COMMUNICATIONS & REPORTS:

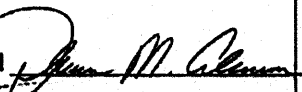
220. Town Clerk to Town Board -
Application for special use permit for Robert Monti, 501 Erie Street. DISPOSITION = Planning Committee
221. Emergency Management Coordinator to Town Board -
Invitation to attend Survival Awareness Weekend to be held May 22 and 23 at the Town Center. DISPOSITION = Received & Filed
222. Town Clerk to Town Board -
Transmittal of third settlement of 2004 County/Town Tax Warrant. DISPOSITION = Received & Filed
223. Town Clerk to Town Board -
Transmittal of monthly report for April 2004. DISPOSITION = Received & Filed
224. Highway Superintendent to Town Board -
Request resolution to hire seasonal employee. DISPOSITION = Resolution 5/17/04
225. NYS DEC to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding Country Club Gardens Subdivision, Pavement & Broadway; comments noted. DISPOSITION = Planning Committee
226. Office of NYS Comptroller to Supervisor -
Comments regarding the Governor's pension proposal. DISPOSITION = Received & Filed
227. Erie County Dept. of Environment and Planning to Town Board -
Transmittal of Quarterly Report of Erie County Community Development - Consortium. DISPOSITION = Received & Filed
228. Adelphia to Supervisor -
Update on Adelphia's Chapter 11 bankruptcy process. DISPOSITION = Received & Filed
229. NYS Senator Dale Volker to Town Board -
Letter regarding the sunset provision for the Local Government Records Management Improvement Fund (LGRMIF). DISPOSITION = Town Clerk
230. Adelphia to Town Board -
Notification of transfer of local telephone service to TelCove effective June 28, 2004. DISPOSITION = Town Attorney
231. Supervisors, Town of Cheektowaga & Town of Lancaster to NYS Assemblyman Tokasz, and John Buono, Chairman, NYS Thruway Authority -
Letter suggesting building of additional NYS Thruway entrance/exit ramps. DISPOSITION = Received & Filed
232. Association of Erie County Governments to Town Board -
Notification of meeting to be held May 27, 2004. DISPOSITION = Received & Filed
233. Lancaster Industrial Development Agency to Town Board -
Notification of Public Hearing regarding North Forest Properties #1, LLC project to be held June 10, 2004 at 4:00 PM at the Town Hall. DISPOSITION = Received & Filed
234. Association of Erie County Governments to Town Board -
Notification of special meeting to be held May 20, 2004. DISPOSITION = Received & Filed
235. Town Engineer to Town Board -
Recommend acceptance of Public Improvements at Summerfield Farms Phase III, specifically #574 - Waterline, #575 - Pavement and Curb, and #576 - Storm Sewer. DISPOSITION = Resolution 5/17/04

236. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, Town Engineer -
Notification of SEQR meeting to be held May 17, 2004 at 6:30 PM to consider Elderwood Health Care, Anastasi Trucking & Paving Company, and Buffalo Suburban Seventh Day Adventist Church projects. DISPOSITION = Received & Filed
237. Town Clerk to Various New Media -
Notification of SEQR meeting to be held May 17, 2004 at 6:30 PM to consider Elderwood Health Care, Anastasi Trucking & Paving Company, and Buffalo Suburban Seventh Day Adventist Church projects. DISPOSITION = Received & Filed
238. Depew Varsity Softball Coach to General Crew Chief -
Letter of appreciation for use of Walden Pond Park on May 1, 2004. DISPOSITION = Received & Filed
239. General Crew Chief to Planning Board, Council Members Montour, Ruffino, and Stempniak -
Notice of no concerns from Town Forestry Department regarding Buffalo-Lancaster Airport proposed aircraft T-hanger. DISPOSITION = Planning Committee
240. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Deputy Town Attorney, and Building Inspector -
Draft copy of Planning Board minutes of meeting held May 5, 2004. DISPOSITION = Received & Filed
241. Planning Board to Town Board -
Recommend approval of Sketch Plan Review for Homes by Natale, 5067 William Street; conditions noted. DISPOSITION = Planning Committee
242. Planning Board to Town Board -
Recommend approval of Site Plan Review for Buffalo Suburban Seventh Day Adventist Church, 5580 Genesee Street. DISPOSITION = Resolution 5/17/04
243. Planning Board to Town Board -
Recommend approval of Site Plan Review for CarQuest Distribution Center, S.S. Walden Avenue, 2000 ft. east of Pavement Road; conditions noted. DISPOSITION = Planning Committee
244. Planning Board to Town Board -
Recommend approval of Sketch Plan Review for Country Club Gardens, Broadway and Pavement Road; conditions noted. DISPOSITION = Planning Committee
245. Planning Board to Town Board -
Recommend approval of Site Plan Review for Harris Hill Nursing Facility, 2699 Wehrle Drive; conditions noted. DISPOSITION = Planning Committee
246. Highway Superintendent to Town Board -
Request resolution to purchase new vehicles from Delacy Ford. DISPOSITION = Resolution 5/17/04
247. Erie County Department of Environment & Planning to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding proposed Country Club Gardens, N.E. corner Pavement and Broadway; comments noted. DISPOSITION = Planning Committee
248. Erie County Department of Environment & Planning to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding proposed rezone application of Anastasi Trucking Company, 351 Pavement Rd.; comments noted. DISPOSITION = Planning Committee
249. Erie County Department of Environment & Planning to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding proposed addition to Seventh Day Adventist Church, 5580 Genesee Street; comments noted. DISPOSITION = Resolution 5/17/04

250. NYS DEC to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding proposed rezone application of Anastasi Trucking Company, 351 Pavement Rd.; comments noted
DISPOSITION = Planning Committee
251. NYS DEC to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding proposed addition to Seventh Day Adventist Church, 5580 Genesee Street; comments noted
DISPOSITION = Resolution 5/17/04
252. Erie County Department of Environment & Planning to Town Board -
Notification of surveying work and GPS data collection to be done on all Erie County sewer assets. DISPOSITION = Received & Filed
253. St. Maximillian Kolbe Assembly, Knights of Columbus to Supervisor -
Invitation to Flag Retirement Ceremony to be held June 13, 2004 at 2:00 P.M.
DISPOSITION = Received & Filed
254. Erie County Water Authority to Town Engineer -
Confirmation of needed Town Water System Improvements. DISPOSITION = Town Engineer
255. Troy & Banks, Inc. to Supervisor -
Notification of settlement with Adelphia regarding franchise fee compliance review.
DISPOSITION = Received & Filed
256. National Fuel to Town Engineer -
Notification of service work to be done by National Fuel on existing 20" high-pressure gas pipeline. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AMATURA, AND CARRIED, the meeting was adjourned at 9:59 P.M.

Signed 
Johanna M. Coleman, Town Clerk